

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEVE BONGE, DOMINGO BUSTER,
DANIEL CANALES, PAUL CASEY,
KIMBERLY CLOSSICK, BART DOWLING,
LAWRENCE GARCIA, BARBARA HECKMAN,
CYNTHIA JORDAN, KEVIN LALKA, BRENDAN
MANNING, SCOTT NEWTON, and RICHARD WEST

07 Civ. 4601 (SAS)(GWG)

**FIRST AMENDED
SCHEDULING ORDER**

Plaintiffs,

-against-

THE CITY OF NEW YORK; and, NEW YORK CITY
POLICE DEPARTMENT DETECTIVE JOHN
VILLANUEVA; and NEW YORK CITY POLICE
DEPARTMENT OFFICIALS JOHN AND
JANE DOE 1-50

Defendants.

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ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/19/07

The Scheduling Order issued on August 7, 2007 is hereby amended, as follows:

Depositions shall be completed by Monday, December 31, 2007.

Discovery shall be completed by Monday, December 31, 2007.


Plaintiff will supply its pre-trial order matters to defendant by January 31, 2008.

Parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial by February 15, 2008.

The date for a final pre-trial conference pursuant to Fed. R. Civ. P. 16(d) (originally scheduled by the Court for December 12, 2007) shall be January 18, 2008

January 18 at 7 30

SO ORDERED:


Hon. Shira A. Scheindlin, U.S.D.J.

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LUIS R. AYALA

November 16, 2007

Via Facsimile

Hon. Shira A. Scheindlin
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, New York 10007

RE: **Bongc v. City of New York, et al.**, 07 Civ. 4601 (SAS)(GWG)

Dear Judge Scheindlin:

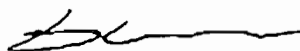
This office represents Plaintiffs in the above-entitled action stemming from the New York Police Department's search of the Hell's Angels Motorcycle Clubhouse and the private, residential apartments above it. Pursuant to the Scheduling Order issued by the Court, depositions and discovery are to be completed by November 30, 2007. We write, in an application joined by Defendants' counsel, to request a brief thirty-day enlargement of time for discovery.

This week, the parties deposed Assistant District Attorney Robert Ferrari, who was involved in obtaining the search warrant at issue in this case. The deposition of ADA Ferrari clarified a number of facts, and ACC Frommer has represented to us that she needs time to discuss settlement authority with the various powers that be. ACC Frommer has requested, and Magistrate Judge Gorenstein has ordered, the previously scheduled settlement conference adjourned until January 7, 2008. The Ferrari deposition also revealed factual issues that may require further exploration by Plaintiffs' counsel and a couple additional depositions. As such, the parties are jointly requesting an additional 30 days for discovery in this matter. This is the first request for additional time under the original Scheduling Order issued by the Court.

Pursuant to Your Honor's Individual Rules and Procedures, attached please find a proposed Scheduling Order reflecting a thirty-day enlargement of time for discovery, and adjusting all subsequent dates accordingly. A space has been left for the Court to schedule the final pre-trial conference, currently scheduled for December 12, 2007.

Thank you for your consideration and time.

Sincerely yours,



DAVID PRESSMAN [DP-9136]

*Attorney for Plaintiffs*cc: ACC Hillary Frommer (*Via Facsimile* - (212) 788-9776)